

Senate Engrossed House Bill

**FILED**

**JANICE K. BREWER  
SECRETARY OF STATE**

State of Arizona  
House of Representatives  
Forty-eighth Legislature  
Second Regular Session  
2008

CHAPTER 305

## **HOUSE BILL 2485**

AN ACT

AMENDING TITLE 44, CHAPTER 11, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 23; RELATING TO PUBLIC SALE OF ANIMALS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 44, chapter 11, Arizona Revised Statutes, is amended  
3 by adding article 23, to read:

4 ARTICLE 23. PUBLIC SALE OF ANIMALS

5 44-1799.71. Unlawful public sale of animals; civil penalty;  
6 definitions

7 A. IN A COUNTY WITH A POPULATION OF EIGHT HUNDRED THOUSAND PERSONS OR  
8 MORE, A PERSON COMMITS THE UNLAWFUL PUBLIC SALE OF ANIMALS BY KNOWINGLY  
9 SELLING AN ANIMAL ON:

10 1. ANY PUBLIC HIGHWAY, STREET OR PARK OR ANY PUBLIC PROPERTY ADJACENT  
11 TO A PUBLIC HIGHWAY, STREET OR PARK.

12 2. ANY COMMERCIAL PRIVATE PROPERTY WITHOUT THE EXPRESS CONSENT OF THE  
13 OWNER OR LESSEE OF THE PROPERTY.

14 B. SUBSECTION A DOES NOT APPLY TO:

15 1. RETAIL SALES ON THE PREMISES OF A PET STORE.

16 2. SALES BY A PUBLICLY OPERATED OR PRIVATE, CHARITABLE NONPROFIT  
17 POUND, HUMANE SOCIETY, ANIMAL RESCUE ORGANIZATION OR EDUCATIONAL OR  
18 AGRICULTURAL ORGANIZATION.

19 3. ANY RODEO, AUCTION MARKET, COUNTY FAIR, STOCK SHOW OR OTHER  
20 SANCTIONED LIVESTOCK EXHIBIT EVENT.

21 C. A PERSON WHO IS FOUND RESPONSIBLE FOR A VIOLATION OF THIS SECTION  
22 IS SUBJECT TO A CIVIL PENALTY OF NOT MORE THAN FIFTY DOLLARS.

23 D. FOR THE PURPOSES OF THIS SECTION:

24 1. "ANIMAL" MEANS ANY LIVING SPECIES OF MAMMAL, BIRD, AMPHIBIAN OR  
25 REPTILE.

26 2. "PET STORE" HAS THE SAME MEANING PRESCRIBED IN SECTION 44-1799.

APPROVED BY THE GOVERNOR JULY 7, 2008.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JULY 7, 2008.